IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION
WRIT PETITION NO.3614 OF 2006

Nhava Sheva Banda Kamgar Sanghatana (A)...Petitioners.
V/s.
Union of India & Ors. ...Respondents.

Shri Vijay Gharat for the Petitioners.
Ms.Rutuja Ambekar for the Respondent No.1.
Ms.Bhalwal i/b M/s. Vayes & Bhalwal for Respondent No.2.
Mr.M.S.Topkar for Respondent No.5.
Mr.G.S.Shetty i/b M/s.Crawford Bayley & Co. for Respondent No.9.
Ms.Lata Desai with Ms. Pallavi Divekar for Respondent No.14.
Mr.V.P.Sawant for Respondent No.8.
Ms.S.I.Shah for Respondent Nos.10 and 13.
Mr.S.J.Kadam for Respondent No.7.

CORAM: B.H.MARLAPALLE &
J.H.BHATIA, JJ.
DATE : 8th November, 2006.

P.C.:

1. After hearing the learned counsel for the respective parties, we are satisfied that the contract labour provided to the respondent no.2 by respondent nos.6 to 13 are registered with some or the other board and they are not in any case unprotected workers. Whereas, the petitioner union prays for writ of mandamus for registration of such workers with respondent no.5. As long as contract labour is engaged through the statutory recognised boards, it can not be, as a matter of legal right, prayed before us that such contract labour must be routed through a particular statutorily

recognised board. We are, therefore, of the view that this petition is misconceived and the same can not be entertained.

2. In case, there is any contract labour engaged through any unregistered boards or unrecognised boards or any board, it is for the respondent no.4 to take appropriate corrective action and the respondent no.5 has also a remedy of initiating appropriate legal action. We clarify that the boards who have provided contract labour shall be undoubtedly operating within the territorial limits under the scheme.

3. With these clarifications, petition is disposed off.

(J.H.BHATIA,J.) **(B.H.MARLAPALLE,J.)**